



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shite Sebastian, Gerard J. Colpas, Diane L. Ellis-Busby, Jennifer M. Havard and Mitchell C. Sanders

Application No.: 10/576,633

Group: 1751

Filed: November 14, 2006

Examiner: not assigned

Confirmation No.: 4672

For: METHODS, PEPTIDES AND BIOSENSORS USEFUL FOR DETECTING  
A BROAD SPECTRUM OF BACTERIA

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
9/6/07	<i>Katie Norris</i>
Date	Signature
Katie Norris	
Typed or printed name of person signing certificate	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:  
☐ a Statement under 37 CFR 1.97(e), as checked below, or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:  
☐ a Statement under 37 CFR 1.97(e), as checked below, and  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application file.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

*Applies to original applications (other than design) filed on or after May 29, 2000*

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is a Listing of References:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [OPTIONAL [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.



Applicant requests that the following non-published pending applications be considered:  
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Doreen M. Hogle  
Doreen M. Hogle  
Registration No. 36,361  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: September 6, 2007

Substitute for form 1449B/PTO		ATTORNEY DOCKET NO. 3265.1010-004		APPLICATION NO. 10/576,633	
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  <b>LISTING OF REFERENCES</b>  <b>August 24, 2007</b>		FIRST NAMED INVENTOR Shite Sebastian		371(c) DATE November 14, 2006	
		EXAMINER Not Yet Assigned		CONFIRMATION NO. 4672	
				GROUP 1751	

(Use several sheets if necessary)

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES	NO
	B16	WO 04/087942	10-14-2004	Colpas, G., <i>et al.</i>		
	B17	WO 05/012556	02-10-2005	Sanders, M., <i>et al.</i>		
	B18	WO 05/042770	05-12-2005	Sebastian, S., <i>et al.</i>		
	B19	WO 05/042771	05-12-2005	Sanders, M., <i>et al.</i>		

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

C52	Fontana, C., <i>et al.</i> , "Twelve Aberrant Strains of <i>Staphylococcus aureus</i> subsp. <i>aureus</i> from Clinical Specimens," <i>J. Clin. Microbiol.</i> , 31(8): 2105-2109 (1993).
C53	Gaillot, O., <i>et al.</i> , "Evaluation of CHROMagar Staph. <i>aueus</i> , a New Chromogenic Medium, for Isolation and Presumptive Identification of <i>Staphylococcus aureus</i> from Human Clinical Specimens," <i>J. Clin. Microbiol.</i> , 38(4): 1587-1591 (2000).
C54	Perry, J.D., <i>et al.</i> , "ABC Medium, a New Chromogenic Agar for Selective Isolation of <i>Salmonella</i> spp.," <i>J. Clin. Microbiol.</i> , 37(3): 766-768 (1999).
C55	<a href="http://en.wikipedia.org/wiki/Oxidase_test">http://en.wikipedia.org/wiki/Oxidase_test</a>
C56	<a href="http://en.wikipedia.org/wiki/Nitrate_reductase_test">http://en.wikipedia.org/wiki/Nitrate_reductase_test</a>
C57	<a href="http://en.wikipedia.org/wiki/Indole_test">http://en.wikipedia.org/wiki/Indole_test</a>
C58	<a href="http://en.wikipedia.org/wiki/GUS_reporter_system">http://en.wikipedia.org/wiki/GUS_reporter_system</a>
C59	<a href="http://www.bact.wisc.edu/microtextbook/index.php?module=Book&amp;func=displayarticle&amp;art_id=119">http://www.bact.wisc.edu/microtextbook/index.php?module=Book&amp;func=displayarticle&amp;art_id=119</a>

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /OO/

EXAMINER /Oluwatosin Ogunbiyi/	DATE CONSIDERED 09/24/2008
-----------------------------------	-------------------------------